



SUPERIOR COURT OF CALIFORNIA COUNTY OF KERN

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Tamarah Harber-Pickens

Superior Court of California
County of Kern
1415 Truxtun Avenue
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(661) 868-4934

March 11, 2022

The proposed amendments to the Superior Court of California, County of Kern Local Rules of Court, for July 1, 2022, have been posted for comment at www.kern.courts.ca.gov. A hard copy of the proposed rules is available upon request.

1. Chapter I – General Rules
2. Chapter VI– Family Law Rules

You may submit comments by e-mail to
WMAdmin@kern.courts.ca.gov or mail to the following address:

Tamarah Harber-Pickens, Court Executive Officer
Superior court of California, County of Kern
1415 Truxtun Avenue
Bakersfield, CA 93301

All comments must be received no later than 5:00 p.m. on
Thursday, April 28, 2022.

Sincerely,

Tamarah L. Harber-Pickens
Court Executive Officer
Superior Court of California, County of Kern

CHAPTER I. GENERAL RULES – PROPOSED CHANGES

Rule 1.1 *Authority for Rules* ~~Effective Date of Rules~~ (Effective 1/1/10; **Rev. 7/1/22)**

~~In accordance with the California Rules of Court, the Superior Court, County of Kern, has significantly revised the content and the numbering of the Local Rules of Court which has changed the effective date of all rules to January 1, 2010.~~

These local Court Rules (“local rules”) are adopted pursuant to Code of Civil Procedure section 575.1, California Rules of Court (“CRC”), rule 10.613, and Government Code sections 68070, et seq.

Rule 1.7.5 (n) Venue for Probate and Guardianship Cases.

Venue for Probate and Guardianship cases, except for those in 1.7.5(i), shall be in the Metropolitan Division, ***Juvenile Justice Center*** ~~Metro Justice Building~~. (Effective 7/1/08; rev. 1/1/13; rev. 1/1/20; **rev. 7/1/22**)

Rule 1.12 Elimination of Bias (Effective 1/1/21; **rev. 7/1/22)**

a. The Kern County Superior Court (Court) ~~is committed to following ,in conjunction with the Kern County Bar Association (KCBA), establishes a Committee on the Elimination of Bias. The Court and KCBA adopts the procedures, goals, and guidelines contained within Title 10, Standard 10.20, Standards of Judicial Administration, in order to .The purpose of the committee is to assist the Court in~~ maintaining a courthouse environment free of bias and the appearance of bias.

b. ***Role of the Court’s Bench and Bar Committee and Local Bar Associations***

The Court’s Bench and Bar Committee, the Kern Multicultural Bar Association, and the Kern County Bar Association are committed to providing and supporting educational programs designed to eliminate unconscious and explicit biases within the court and legal communities. These activities will include outreach to the local community.

c. ***Informal Complaint Procedure***

The public can make a complaint of bias in court interactions based upon protected classifications. Complaints shall be based upon the interactions of court employees and judicial officers, including commissioners and temporary judges. An informal complaint procedure will be developed and maintained by the Committee on the Elimination of Bias.

1. Complaints should be submitted in writing to the Presiding Judge or

Court Executive Officer, either by email to WAdmin@kern.courts.ca.gov or by using the form available on the Court's website, ~~and will be referred to the committee;~~

2. The procedure will not apply to anonymous complaints;
3. To the extent possible and unless disclosure is required by law, the ~~Committee will protect the~~ confidentiality of the complainant, the person who is the subject of the complaint, and other interested persons **will be protected**;
4. The procedure applies to incidents of bias relating to ~~race, gender, religion, ethnicity, national origin, disability, age, sexual orientation, or socioeconomic status,~~ **age, ancestry, color, ethnicity, gender, gender expression, gender identity, genetic information, marital status, medical condition, military or veteran status, national origin, physical or mental disability, political affiliation, race, religion, sex, sexual orientation, socioeconomic status, and any other classification protected by federal or state law**;
5. ~~For those complaints that would warrant discipline if substantiated, the Committee will refer the complaint to the Presiding Judge with any recommended steps.~~ If the complaint is about the Presiding Judge, the Court Executive Officer will refer the complaint to the Assistant Presiding Judge. If the Assistant Presiding Judge believes there would be a conflict of interest, the Assisting Presiding Judge will designate another person, or the Chair of the Bench and Bar Committee to receive the complaint ~~Committee will notify the Judicial Officer assigned to the committee and make recommendations;~~ and
6. ~~The complaint form shall contain a provision specifying that N~~Nothing in ~~this~~ procedure limits the ability of any person to submit a complaint of misconduct to an appropriate disciplinary body.

Rule 1.15 Prohibition of Harassment, Discrimination, Retaliation, and Inappropriate Workplace Conduct Based on a Protected Classification (Effective 1/1/22; Rev. 7/1/22)

The Court shall ensure that all persons are free from sexual harassment, discrimination, retaliation, and inappropriate workplace conduct based upon a protected classification.

Any person who perceives he/she is the victim of such conduct in the courthouse, or any person who witnesses such conduct against another person, should immediately notify the Court Executive Officer, who may conduct an investigation. Alternatively, notification may be made to the Deputy Court

Executive Officer of Human Resources, ~~or~~ any supervisor or manager, *the Presiding Judge, or the Assistant Presiding Judge*. If the conduct originates from a judicial officer, notification should be made to the Presiding Judge or the Court Executive Officer.

The Court Executive Officer, or his/her designee, shall have the following duties and powers:

- a. Investigate any complaints promptly and thoroughly.
- b. Ensure that the complainant's rights are protected.
- c. When appropriate, consult with attorneys and/or members of the public.
- d. Maintain confidentiality.
- e. Maintain quarterly reports on complaints received.
- f. Make recommendations for policy or procedure changes, training, and any other means that will prevent and eliminate such conduct in the court system.

Rule 1.16 *Professional Conduct and Civility*

Attorneys are expected to comply with the California Rules of Professional Conduct and strive to conduct themselves with dignity, courtesy, and integrity at all times.

CHAPTER VI. FAMILY LAW RULES - PROPOSED CHANGES

Rule 6.1.1 Forms of Documents Presented for Filing (Effective 1/1/10; rev. 1/1/17; rev. 1/1/20; *rev. 7/1/22*)

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(c) The page limits set forth in California Rules of Court, rule 5.111 shall not apply to E evidentiary attachments to pleadings *or to the submission of exhibits to be used at any hearing in which at least one of the parties is appearing remotely. shall not* ~~exceed twenty (20) pages in length, except orders to show cause re contempt or applications for wage assignments. However, a~~ *A* party may apply to the court ex parte, with written notice of the application to the other parties, for permission to ~~attach additional documents~~ exceed the page limitation in rule 5.111. The application must state reasons why the ~~additional attachments are relevant and~~ additional pages are necessary. Parties should not attach copies of pleadings already contained in the Court file to any new pleading. (Effective 1/1/20; *rev. 7/1/22*)

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